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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Esser, F., et al) Art Unit: 1626
U.S. Appln. No. : 10/827,408) Examiner: Powers, F.
Confirmation No. : 2596
U.S. Filing Date : April 19, 2004
Title of Invention : Compounds and Methods for Treating Urinary Incontinence
Attny. Docket No.: 1/1003-4-C3

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

May 31, 2005

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

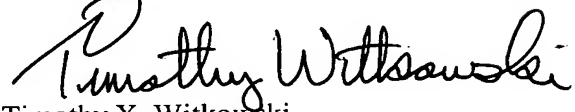
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Timothy X. Witkowski
Attorney for Applicant(s)
Reg. No. 40,232

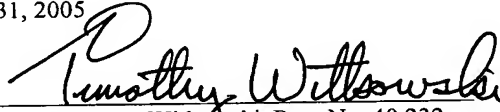
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on May 31, 2005



Timothy X. Witkowski, Reg. No. 40,232

PTO/SB/08A (08-00)
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Complete if Known

Application Number	10/827,408
Filing Date	April 19, 2004
First Named Inventor	Esser, F. et al
Group Art Unit	1626
Examiner Name	Powers, F.,
Attorney Docket Number	1/1003-4-C3

Sheet	1	of	3
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Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		3,081,222		Hagelman, H.A., et al	0312/1963	
		4,355,033		Ramuz, H.	10/19/1982	
		4,861,189		Fukukawa, M., et al	08/29/1989	
		5,130,441		Gluchowski, C.	07/14/1992	
		5,237,032		DeMeuse, M.T. et al ,	08/17/1993	
		4,587,257		DeSantis, L.M., et al	05/06/1986	
		4,287,201		Olson, G., et al	09/01/1981	
		4,213,995		Staehle, H., et al	07/22/1980	
		4,226,773		Kynel, J.J.	10/07/1980	
		3,931,216		Franzmair, R.	01/06/1976	
		3,202,660		Zeile, K., et al	08/24/1965	
		4,861,789		Berge, et al	08/1989	
		5,237,072		Gluchowski, C.	08/1993	
		4,461,904		York, Billie M., Jr.	07/27/1984	
		5,380,742		Servnie, Mireille et al	01/10/1995	
		4,596,818		Newsome, Peter et al	06/24/1986	
		4,644,007		York, Billie M., Jr.	02/17/1987	

[illegible]Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/824,408
				Filing Date	April 19, 2004
				First Named Inventor	Esser, F. et al
				Group Art Unit	1626
				Examiner Name	Powers, F.,
				Attorney Docket Number	1/1003-4-C3
Sheet	2	of	3		

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

3

of

3

Complete If Known

Application Number

10/827,408

Filing Date

April 19, 2004

First Named Inventor

Esser, F., et al

Art Unit

1626

Examiner Name

Fiona Powers

Attorney Docket Number

1/1003-4-C3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		NORDLING, J., et al; "Sympathetic Influence of Striated Urethral Sphincter in Urinary Incontinence", Prog. Clin. Biol. Res., Vol. 78, pages 101-103; 1981	
		RANDALL, W.C., et al; "Multiple Central Alpha 1 Adrenoceptors of Avian and Mammalian Species"; Biochem. Pharmacol., Vol. 32, No. 12. Pgs 1933-1940; 1983	
		KONTANI, H., et al; "Effects of Adrenergic Agonists on an Experimental Urinary Incontinence Model in Anesthetized Rabbits"; Jpn. J. Pharmacol., Vol. 58, No. 4 pages 339-346; 1992	
		VAN SAVAGE, J.G., et al; "Effects of Alpha-Adrenergic Agonist on Neobladder Water and Electrolyte Transport", Urology, Vol. 43, No. 3, pages 324-327, 1994	

Examiner
SignatureDate
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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